IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CASE NO.: **CWP No.3211 of 2006**

DATE OF DECISION: January 12, 2007

SITA RAM S/O INDER SINGH ...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA.
HON'BLE MR. JUSTICE R.S. MADAN.

PRESENT: MR. AMAN CHAUDHARY, ADVOCATE FOR THE PETITIONERS.
MR. ANMOL RATTAN SIDHU, ADDL.A.G., HARYANA
WITH MR. RAJEEV KWATRA, SR.DAG, HARYANA.

ASHUTOSH MOHUNTA, J. (ORAL)

The petitioner has prayed for grant of benefit of Higher Standard Pay Scale of Rs.1400-2600 as is admissible to Haryana Government Employees who have completed 20 years of service. Counsel for the petitioner contends that the petitioner was initially appointed as a Clerk in the Haryana Housing Board. Thereafter, the petitioner was appointed as a Clerk in the Department of Agriculture and was posted in the office of Director of Agriculture. The services rendered by the petitioner in the Haryana Housing Board was counted for the purpose of fixation of pay vide Annexure P-3. The petitioner demanded higher pay scale on the aforementioned basis and represented to the Additional Director, Agriculture. The Additional Director, Agriculture, Haryana vide his letter dated 17.12.1997 (Annexure P-8) held that the petitioner is eligible for Higher Standard Pay Scale from 1.2.1996. Legal opinion was also sought,

according to which the petitioner has been found to be entitled to the higher pay scale in terms of the judgement in *D.C. Garg* vs. *State of Haryana*, 1997(4) RSJ 461. Counsel for the petitioner submits that although the information has come in favour of the petitioner vide Annexure P-9, but till date the petitioner has not been granted higher pay scale.

After hearing learned counsel for the petitioner, we direct respondent No.2 to decide the question whether the petitioner is entitled to Higher Standard Pay Scale or not in the light of the judgement rendered in *D.C. Garg's case* (supra) as well as in terms of Annexure P-8 & P-9 within a period of 3 months from today.

(ASHUTOSH MOHUNTA)
JUDGE

January 12, 2007
Gulati

(R.S. MADAN)
JUDGE